

Minutes of previous meeting

Interim Secretary, Accounts Commission

Purpose

1. This paper presents for the Commission's approval the draft minutes of the previous meeting of the Commission along with a summary of matters arising from those minutes.

Recommendations

2. The Commission is asked to:
 - Approve the attached draft minute of its previous meeting.

Minutes

3. The minute of the previous meeting is in Appendix 1.
4. Members should note that the action tracker – available on the member SharePoint site and also provided to members on a monthly basis – provides updates on progress from previous meetings.

Minutes

Thursday 15 June 2023, 9.30am

Audit Scotland offices, 102 West Port, Edinburgh, and
online via Microsoft Teams

500th meeting of the Accounts Commission

Present:

Ronnie Hinds (Interim Chair)

Malcolm Bell

Nichola Brown

Andrew Burns

Sophie Flemig (from item 15 due to attendance at Public Audit Committee)

Sheila Gunn

Jennifer Henderson

Christine Lester

Tim McKay

Geraldine Wooley

Apologies:

Andrew Cowie

Ruth MacLeod

In attendance:

Helena Gray, Controller of Audit

Blyth Deans, Interim Secretary to the Commission

Antony Clark, Executive Director of Performance Audit and Best Value (PABV)

Mark Taylor, Audit Director, Performance Audit and Best Value (item 5)

Mark MacPherson, Audit Director (item 11)

Leigh Johnston, Senior Manager (item 11)

Claire Tennyson, Senior Auditor (item 11)

Jason Carter, Audit Officer (item 11)

Joanna Mansell, Communications Adviser (item 12)

Kenneth Lawrie, Chair of the LGBF Board (and Chief Executive of Falkirk Council) (item 17)

Emily Lynch, Programme Manager, Improvement Service (item 17)

Katherine Chapman, Trainee Auditor, PABV (observer)

Lucy Telling, Trainee Auditor, Audit Services (observer)

The Chair and Deputy Chair gave thanks and appreciation to Blyth Deans for his contribution to the Commission over the last 9 months in his role as Secretary. Blyth will now take up his previous position as Senior Manager in Performance Audit and Best Value.

Ronnie Hinds acknowledged the 500th meeting of the Accounts Commission, helping councils and local government bodies in Scotland improve by reporting to the public on their performance. Ronnie thanked Commission member Malcolm Bell for recording a video marking this occasion.

1. Apologies for absence

It was noted that apologies for absence had been received from Ruth MacLeod and Andrew Cowie.

2. Declaration of connections

The following declarations of connection were noted:

Geraldine Wooley, in respect of item 11, due to a family connection to Adult Mental Health services in Fife.

Nichola Brown, in respect of item 11, due to former employment with NHS Greater Glasgow and Clyde.

3. Order of business

It was agreed that the following items be considered in private:

- Items 9, 10, 12, 13, 14, and 15 as they required the Commission to consider confidential policy matters.
- Item 11 as it required the Commission to consider a draft publication which the Commission is to consider in private before publishing.
- Items 16 if there were any confidential matters that required to be discussed out with the public domain.

4. Minutes of meeting of 11 May 2023

The Commission considered a report by the Secretary presenting the minutes of the meeting of 11 May 2023, including a summary of business arising from those minutes.

During the discussion:

- Tim McKay asked for an update on the guidance for approving consultations. The Secretary advised that an update on this is provided in the June Secretary's Report, and that a copy of the final version would be shared with members as soon as it has been finalised.

Action: Secretary

Following discussion, the Commission:

- Approved the draft minute of its previous meeting as a correct record.

5. Strategy and work programme: Work programme update - June 2023

The Commission considered a report by the Executive Director of PABV providing an update on the Work Programme as at June 2023.

During discussion, the Commission noted:

- The Executive Director of PABV noted his thanks to Michelle Borland, Head of Organisational Improvement, for her hard work and effort on the work programme in her previous role.
- Malcolm Bell enquired about plans for future audit work on sustainable alternatives to custody and drug and alcohol services and their likely impact. Malcolm also queried

whether Audit Scotland had published any work in this area in the past. The Executive Director of PABV confirmed that a briefing on Community Justice had been published in [2021](#) which highlighted slow progress in making a shift from custodial to community-based sentences.

- Andrew Burns asked for the impact of Commission members' appearances at Parliamentary Committees and Parliamentary engagement to be highlighted in reports where possible. The Executive Director of PABV responded by highlighting that the work programme update reports are not designed to capture or comment on the range and impact of the Commission's parliamentary engagement activity. It was suggested that the Commission may wish to consider the impact of its parliamentary engagement when it reviews the impact it is having across the full range of its activity (e.g. external stakeholder engagement, audit work and the Commission's SPI direction) as part of its strategy seminar in August. It was noted that the outcomes of those deliberations might be something to consider for inclusion in future Commission annual reports.
- Christine Lester asked how the work programme will align with the New Deal. The Executive Director of PABV advised that this is under consideration and will be discussed as part of the work programme discussion scheduled for August.
- Jennifer Henderson queried whether the audit on Scotland's Public Sector workforce was intended to cover the whole of the public sector and if this should therefore be a joint report with the Auditor General. The Executive Director of PABV advised that this work will focus more on Scottish Government public sector reform rather than on broader workforce issues and confirmed that a paper on local government workforce issues will be coming to the Commission's Performance Audit Committee in August.
- Sheila Gunn referred to workforce planning issues and how these are being directly impacted by a lack of available housing in local authority areas.
- Nichola Brown asked the Executive Director of PABV if he was confident that the audit teams could deliver on all the proposals in the work programme to which he confirmed he was.

Following discussion, the Commission:

- Agreed the additions and changes proposed to the programme.

6. Commission meeting arrangements 2024

The Commission considered a report by the Secretary providing an update on the Commission meeting arrangements 2024.

During discussion:

- Christine Lester asked if plans were still in place to hold Commission meetings in different locations across the country. The Secretary advised that this had not been discussed in recent months but confirmed that he would add this to the agenda for the incoming Secretary to follow up.

Action: Secretary

- Nichola Brown noted that all school holidays across the country be considered when looking at future meeting dates. The Secretary agreed that this would be factored into future decision making.
- Malcolm Bell asked the Commission Support Team to investigate barriers to accessing the Commission meetings for the public. The Secretary agreed that the Commission Support Team would engage with colleagues in Audit Scotland to explore the challenges and update members accordingly.

Action: Secretary

- The Secretary noted that he is working with the Deputy Chair on the allocation of new members to the Commission's Financial Audit and Assurance Committee and the Performance Audit Committee. Formal assignment to committees will take place in advance of August.

Action: Secretary

- The Chair suggested that a discussion on areas of interest for private member forum meetings be considered at the private member forum meeting following the formal Commission meeting.

Following discussion, the Commission:

- Agreed the proposed schedule and arrangements for meetings of the Commission and its committees in 2024.

7. Secretary's update report

The Commission considered a report by the Secretary providing an update on significant recent activity relating to local government.

During discussion:

- In relation to appendix 2, Geraldine Wooley raised a question about the scale of funding proposed by the Scottish Government.
- Sheila Gunn asked what the Commission can do to influence and highlight issues around affordable housing which in turn impacts those seeking employment. The Executive Director of PABV advised that the Commission had previously agreed that workforce planning will be the focus of Year 2 Best Value Thematic reporting.
- The Chair suggested that the Commission keep a watching brief on the issue of funding for affordable homes for key workers for now with further thought given to how the Commission can input later if needed.
- Paragraph 65 of the report refers to the consultation on councillor remuneration led by Angela Leitch as the Convenor of SLARC. Data is being collated on councillors and their backgrounds in relation to diversity of councillor base. Tim McKay met with Angela and would like the Commission to respond to the consultation. The Secretary advised that the consultation is not yet live, but that details will be provided to members in a future Secretary's Report upon further details becoming available.

- Jennifer Henderson asked if future Secretary reports could include details of forthcoming events or developments to allow the Commission to be proactive and respond timeously. The Secretary noted that this should be picked up with the new Secretary when in post, with a view to factoring into future Secretary reports.

Action: Secretary

- Geraldine Wooley proposed that a response be submitted to the consultation seeking views and comments on effective community engagement in the local development planning process as set out in paragraph 64. The Secretary agreed to engage with colleagues in Audit Scotland and would liaise with the Commission, via the Chair, on next steps.

Action: Secretary

Following discussion, the Commission:

- Noted the report.
- Agreed to respond to the consultation seeking views and comments on effective community engagement in the local development planning process.

8. Any other public business

The Chair, having advised that there was no business for this item, closed the public part of the meeting.

9. Chair's update report

The Commission considered and noted a report by the Acting Chair, Tim McKay providing an update on recent and upcoming activity.

During discussion, the Acting Chair:

- Thanked Andrew Burns for chairing the elected member development event with the Improvement Service on 1 June.
- Requested that freedom of information requests be included in future intelligence reports submitted to the Commission.

Action: Secretary

- The Chair offered his gratitude to Tim McKay for chairing the Commission in the period up to his start date.

Following discussion, the Commission:

- Noted the report.

10. Controller of Audit's update report

The Commission considered and noted a report by the Controller of Audit providing an update on recent and upcoming activity.

During discussion:

- In respect of item 15, Malcolm Bell asked for further information on the Parliamentary enquiry into Community Councils facilitated by the Improvement Service. The Controller of Audit clarified that this is being led by the Local Government Housing and Planning Committee and the Improvement Service attended as a witness alongside a number of other witnesses.

Following discussion, the Commission:

- Noted the report.

11. Adult Mental Health draft performance audit report

The Commission considered a draft performance audit report by the Executive Director of PABV on Adult Mental Health.

During discussion:

- In her role as sponsor, Christine Lester emphasised the need to bring out the important role of other public bodies, particularly Police Scotland, in delivering effective mental health care. The scope did not cover adults with dementia which use the same services and the focus on psychological therapies within the report is because that is the only measurable target available to Audit Scotland.
- Jennifer Henderson enquired what evidence if any, exists as to the number of people who choose to go private to receive this service. The team advised that evidence and information in this area is difficult to obtain, and in some cases doesn't exist.
- Geraldine Wooley stated just how important it is to have baseline data to ensure the money being invested is making a difference. In respect of paragraph 32, Geraldine asked if primary mental healthcare could look at accommodation units in the high street to help improve accessibility. The Executive Director of PABV responded to this point in the meeting, explaining that we were not specifically looking into accommodation for mental health services during this audit, but that accommodation for staff/service users and the use of estates will be part of Audit Scotland's thinking when looking at wider public sector estate and infrastructure issues in future audit work.
- In relation to key message 2, Geraldine also asked if rural could be added to the list of access issues. The Executive Director of PABV agreed to include this in the final version of the report.

Action: Executive Director of Performance Audit and Best Value

- Andrew Burns congratulated the team on the report, and commented on the key facts, messages and recommendations being the clearest he'd ever seen in his time on the Commission. He asked if recommendations will be followed up in a 12-to-18-month timeframe. Advice was provided by the Executive Director of Performance Audit and Best Value.
- Tim McKay echoed Andrew Burns' point around key messages being contained within one page and the recommendations being well-made. He enquired as to the role of the Scottish Government's Mental Health directorate. The team advised that the directorate has an oversight role and does not manage mental health services.

- Nichola Brown congratulated the team on the report and asked for the following points to be considered:
 - Inequalities from a perspective where people are affected by more than one characteristic, which makes them more likely to experience poor mental health. Nichola also stated that the point around the Scottish Government mental health champions at Paragraph 40 is very specific and perhaps we could reference that more work is needed to see what impact this specific role would have.
 - In the context of the digital exclusion audit, consideration of options to allow face to face consultations.
 - Paragraphs 37 – 40 and exhibit 4, Nichola noted that there were a couple of notable exceptions around people with disabilities and those with neurodiversity. The point around the prevalence of mental health issues and those with economic circumstances and disabilities could be more explicit.
 - Nichola noted that suicidal ideation is extremely high in LGBT group and suggested it would be worth inclusion in the report.
- The Executive Director of PABV noted the points raised and advised that these would be considered by the team and would be discussed further with the project sponsor as required.

Following discussion, the Commission:

- Approved the draft performance audit report on adult mental health.
- Delegated responsibility to the audit sponsor to finalise the content of the audit report on behalf of the Accounts Commission, alongside the Auditor General for Scotland, through discussion with the audit team.
- Agreed the proposals for promoting the report after publication, as set out in paragraphs 6 and 7 of the cover paper

12. Accounts Commission - Draft Annual Report 2022/23

The Commission considered the draft annual report for 2022/23, presented by the Secretary.

During discussion:

- Christine Lester requested that IJB chairs and Chief Officers be included in the distribution list and up to date photos of Commission members to be included.
- Sheila Gunn asked for the dates around members end of terms to be updated correctly.
- Tim McKay asked if exhibits could be moved to appendices to make the report punchier.
- Jennifer Henderson suggested inclusion of a one-page summary or infographic covering the impact of the Commission's work.

Action: Secretary

Following discussion, the Commission:

- Approved the draft Annual Report 2022/23 in the appendix, subject to consideration of the proposals for refinement set out in paragraphs 5 and 6.
- Final sign off to be delegated to the Chair and Deputy Chair.
- Approved the proposed publication arrangements.

13. Intelligence Report

The Commission considered a report by the Secretary on intelligence about councils from various sources.

During discussion:

- Sheila Gunn in reference to Appendix 1 asked for timings to be included with regards to correspondence i.e., when did discussions start with each council. The Secretary agreed to liaise with colleagues in Audit Scotland's Correspondence team to ensure this is included in future iterations of the Intelligence Report.

Action: Secretary

Following discussion, the Commission:

- Noted the update in relation to overdue actions in relation to SPSO investigations at East Dunbartonshire Council (paragraph 21).
- Noted the matters and issues arising that may affect either the business risk of the Commission or audit risk (and therefore work programme).
- Noted the intention to return to the scheduled reporting cycle with the next six-monthly report being tabled at a meeting of the FAAC as planned.
- Considered, as a Commission, any revisions to the content and format of the report ahead of the next six-monthly report being considered by the FAAC.

14. How Councils Work (HCW) report – re-promotion plan

The Commission considered a report by the Executive Director of PABV providing an update on How Councils Work (HCW) reports, including consideration of a re-promotion plan.

During discussion:

- Malcolm Bell raised a point about the age of the report, the layout and language used but confirmed the original report was well received by councils. The Executive Director of PABV noted the comments.
- Jennifer Henderson suggested that any re-promotion of this work is closely tied to other relevant recent reports and findings as appropriate. The Executive Director of PABV agreed with the suggestion and committed to consider this as part of re-promotion work.

- Tim McKay asked for the word lengthy to be changed to length in Appendix 1 in terms of arms lengthy organisations.
- The Chair suggested there may be opportunities around the ‘new deal’ for local government to help prolong the series of reports.

Following discussion, the Commission:

- Approved the proposals.

15. Options to engage Councils in Best Value process

The Commission considered an update from the Controller of Audit on options to engage councils in the Best Value process.

During discussion:

- The Commission unanimously decided to continue with a ‘supplemented status quo’ with more engagement, an annual event, in person meetings and informal feedback with councils. There were concerns that option 1 was too resource intensive and might have a negative impact on the perceived independence of the Controller of Audit.
- Option 2 proposals could potentially be seen as being too negative and only offered a platform to engage with councils when things went wrong.
- Tim McKay suggested that councils could provide a private response to the Controller of Audit’s report in advance of consideration at Commission meetings.
- The Chair suggested that the Commission and councils should be provided with a note of meetings held with elected members following Best Value work. Fiona Mitchell-Knight confirmed that this is already the case.
- The Controller of Audit agreed to provide the Commission with an engagement plan, via correspondence, which sets out steps to raise the profile of the new Best Value process. As part of this discussion, the Commission noted:
 - The Best Value Legacy report will be coming to the Commission in September, and this may be helpful in promoting the new Best Value process.
 - Christine Lester noted her concerns around timings and how the process can be streamlined to make it as meaningful as possible in the time available
 - Tim McKay suggested a session at the SOLACE Conference may be useful to promote the new process.
 - Geraldine Wooley urged urgent action on this with four experienced members coming to the end of their terms in September.

Action: Controller of Audit

16. Any other private business

The Chair, having advised that there was no business for this item, closed the meeting.

17. LGBF: National Benchmarking Overview Report 2021/22

The Commission considered a report from the Secretary on LGBF: National Benchmarking Overview for 2021/22.

During discussion:

- Noted a presentation from Kenneth Lawrie (Chair of LGBF Board) and Emily Lynch (Programme Manager, Improvement Service) summarising the Benchmarking Overview Report 2021/22 and future developments.
- Christine Lester noted the amount of data collected and raised the question of being ruthless with it to ensure it is useful and proportionate.
- Sophie Flemig asked if bodies are aware that automation is not always working as it should.
- Emily Lynch advised that the new LGBF dashboard allows individual councils to take a cut of the data on their strategic priorities and will look at ways to put the citizen at the heart of it. Kenneth Lawrie confirmed that the dashboard is an initial step to a more assertive approach to using that data.
- Andrew Burns congratulated the LGBF Board on reducing the 259-page report last year to a 59-page report this year without losing the quality of the information provided. With regards to the strategic direction going forward, Andrew commented how supportive he was of the more promotional and assertive approach to the data put forward.
- Ronnie Hinds asked what role the Commission could play in this assertive approach. Officers from the LGBF Board provided further information.
- Tim McKay suggested that the data doesn't necessarily drive improving outcomes and asked if the Board had given thought to what data is required to help improve outcomes. Officers noted the comments.
- Emily Lynch confirmed that the LGBF Board hopes that the new partnership agreement may be able to be used to really drill into the data that already exists, explores which parts are useful and which parts aren't, and identifies any gaps.
- Kenneth Lawrie advised the LGBF are trying to move to a more sophisticated use of data. Local authorities are including key measures into their strategies and performances. A whole range of LGBF indicators are available and the Commission may wish to focus on these in relation to Best Value reports.
- Ronnie Hinds referred to the new deal and the relationships the Commission has to influence conversations in the future. Data can provide evidence on where money is being spent by councils.

Following discussion, the Commission:

- Noted that further dialogue with the LGBF Board to this end will take place in coming months, with the Commission to be updated accordingly.

Close of meeting

The meeting closed at 13:00 pm.